

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

LXR RS V, LLC,

Plaintiff

v.

MUNICIPALITY OF NORRISTOWN,

Defendant

Case No. 2:19-cv-01397-JDW

ORDER

AND NOW, this 7th day of October, 2019, upon consideration of the Defendant's Second Motion to Dismiss (ECF No. 18), it is **ORDERED** that, for the reasons stated in the accompanying Memorandum, the Motion is **GRANTED IN PART**. It is **FURTHER ORDERED** as follows:

1. Count III, Count IV, and Count V of Plaintiff's First Amended Complaint (ECF No. 9) are hereby **DISMISSED WITH PREJUDICE**;

2. The Court declines to exercise supplemental jurisdiction over Plaintiff's remaining state claims, and will remand this action, pursuant to 28 U.S.C. § 1367(c), to the Court of Common Pleas for Montgomery County.

BY THE COURT:

/s/ Joshua D. Wolson
JOSHUA D. WOLSON, J.